



Atty. Docket No.: 25436/1280

RECEIVED
SEP 9 2003
TECH CENTER 1600/2900
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Walker Peach, et al.
Serial No.: 09/594,065
Filed: June 14, 2000
Titled: Compositions, Methods and Kits for
Herpes Simplex Virus Type 1 and 2
Nucleic Acid Detection

Examiner: Shanon A. Foley

Group Art Unit: 1648

Conf. No.: 7768

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kathleen M. Williams

Name of Person Faxing

Signature of Person Mailing Paper

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Restriction Requirement dated June 30, 2003, Applicants elect **Group 13, Claims 3-22** for prosecution on the merits, with traverse.

Since this Response is being filed after the shortened statutory period, a Petition for Extension of Time is being filed to extend the period for Response to Restriction Requirement from July 30, 2003, up to and including August 30, 2003. The Commissioner of Patents is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account 16-0085, Reference No. 25436/1280.

Respectfully submitted,

Date: August 27, 2003

Name: Kathleen M. Williams

Registration No.: 34,380

Customer No.: 27495

Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel: 617-239-0100